

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 14, 2001**

DIVISION ONE

B142672      People      (Not for Publication)  
v.  
John Maurice Mailander

The judgment based on the terrorist threat conviction is reversed. The matter is remanded for a new trial on that count.

Ortega, J.

We concur:     Spencer, P.J.  
                      Mallano, J.

B147790 Rita F. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children & Family Services, r.p.i.)

We deny the petition.

Ortega, J.

We concur:     Spencer, P.J.  
                      Mallano, J.

## DIVISION ONE (Continued)

B143179 People (Not for Publication)

V.

Robert J. Edwards

The judgment is affirmed.

Ortega, J.

We concur:     Spencer, P.J.  
                      Mallano, J.

## DIVISION TWO

B144994 People (Not for Publication)

V.

Course

The Court:

The judgment is affirmed.

Boren, P.J., Cooper, J., Todd, J.

DIVISION THREE

B141021 City of Burbank (Not for Publication)

V.

Albert Mnatsakanyan

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

## DIVISION FOUR

B145296      People      (Not for Publication)  
v.  
Spears

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                         Curry, J.

B140344 People (Not for Publication)  
v.  
Vasquez

The judgment of conviction as to count 3 (§ 245, subd. (a)(1), assault by means of force likely to produce great bodily injury and with a deadly weapon) is reversed. The judgment is modified to provide that: as to count 5 (§ 422, making terrorist threats) defendant is sentenced to the principal term consisting of an upper determinate term of three years; as to count 4 (§ 273.5, subd. (a), corporal injury to a spouse) defendant is sentenced to a subordinate consecutive determinate term of three years, consisting of one year (one-third the midterm of three years) plus one year and eight months (one-third the upper term sentence of five years imposed for the enhancement under section 12022.7, subdivision (d)) plus four months (one-third of one year for the enhancement under section 12022, subdivision (b)), with execution of this sentence including its related enhancements stayed pursuant to section 654; and as to count 2 (§ 205, aggravated mayhem) defendant is sentenced to a consecutive indeterminate term of life imprisonment with possibility of parole plus one year pursuant to section 12022, subdivision (b); for a total aggregate term of life imprisonment plus four years. As so modified, the judgment is affirmed. The trial court shall send a corrected abstract of judgment to the Department of Corrections.

Vogel (C.S.), P.J.

We concur:     Hastings, J.  
                         Curry, J.

DIVISION FOUR (Continued)

B147640 Timothy M. (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, et al.,  
r.p.i.)

The petition is denied.

Vogel (C.S.), P.J.

We concur: Hastings, J.  
Curry, J.

DIVISION FIVE

B145437 People (Not for Publication)  
v.  
Yuri K.

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.  
Willhite, J. (Assigned)

B145251 People (Not for Publication)  
v.  
Roberto Zuniga

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.  
Willhite, J. (Assigned)

## DIVISION FIVE (Continued)

B143426 People (Not for Publication)

V.

Joseph M.

The judgment is reversed.

Grignon, Acting P.J.

We concur:      Armstrong, J.

Willhite, J. (Assigned)

B140431      Dora Elias      (Not for Publication)

V.

California Institute of Technology Jet Propulsion laboratory, et al

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, J.

We concur:      Turner, P.J.

Willhite, J. (Assigned)

B142471 People (Not for Publication)

V.

# Demontray Thompson

The judgment is affirmed.

Grignon, Acting P.J.

We concur:     Armstrong, J.

Willhite, J. (Assigned)

DIVISION FIVE (Continued)

B140462      Nancy Williamson                      (Not for Publication)

v.

Lloyd Williamson

Los Angeles County District Attorney

The order is affirmed. The Los Angeles County District Attorney's Office is to recover its costs on appeal from appellant, Lloyd Williamson.

Turner, P.J.

We concur:      Grignon, J.

Willhite, J. (Assigned)

B144456      People    (Not for Publication)

v.

Richard Arthur Aguirre

The appeal is dismissed.

Turner, P.J.

We concur:      Grignon, J.

Willhite, J. (Assigned)

B146864      People    (Not for Publication)

v.

Mark Frederick Lund

The appeal is dismissed.

Turner, P.J.

We concur:      Grignon, J.

Willhite, J. (Assigned)

DIVISION FIVE (Continued)

B147898      Gerardo C.      (Not for Publication)

v.

Superior Court, Los Angeles County

(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition for extraordinary writ is denied. Pursuant to California Rules of Court, rule 24(d), this opinion is made final forthwith as to this court.

Armstrong, J.

We concur:      Turner, P.J.

Grignon, J.

B133657      Deepak Rattanchand Hinduja et al.      (Not for Publication)

v.

Arco Products Company et al.

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur:      Turner, P.J.

Willhite, J. (Assigned)

B118176      Jonathan Vos Post

v.

Palo/Haklar & Associates

Filed order denying petition for rehearing.

DIVISION SIX

B140122      San Luis Obispo County                      (Not for Publication)  
Farmers' Market Assoc.

v.

California Department of Food and Agriculture,  
Dennis Smith

The judgment (order of January 27, 2000) is reversed. The orders of the Department are affirmed. Association shall pay Department's costs on appeal.

Perren, J.

We concur:      Gilbert, P.J.  
Coffee, J.

B139265      People    (Not for Publication)

v.

Mooney

The clerk of the superior court is ordered to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting the proper sentences imposed on the enhancements and the restitution and parole revocation fines imposed pursuant to sections 1202.4, subdivision (b) and 1202.45.

As so modified, the judgment is affirmed.

Yegan, J.

We concur:      Gilbert, P.J.  
Coffee, J.

B141930      County of Ventura

v.

Gonzales

Filed order modifying opinion. (Change in judgment)



## DIVISION SIX (Continued)

B142670 People (Not for Publication)  
v.  
Romero

The execution of sentence on count 2 (false imprisonment by violence) and count 4 (witness intimidation) are stayed pursuant to Penal Code section 654. The abstract of judgment shall be modified accordingly and a copy forwarded to the Department of Corrections. The judgment is otherwise affirmed.

Coffee, J.

We concur:     Gilbert, P.J.  
                         Perren, J.

B146344 People (Not for Publication)  
v.  
Fernandez

The judgment is affirmed.

Yegan, J.

We concur:     Gilbert, P.J.  
                         Perren, J.

B145942      People      (Not for Publication)  
v.  
Arguelles

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

## DIVISION SIX (Continued)

B145645      People      (Not for Publication)  
v.  
Emery

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

B143911 People (Not for Publication)  
v.  
Mondoruza

The order of commitment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

## DIVISION SEVEN

B141563 People (Not for Publication)  
v.  
Cade

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.  
Boland, J. (Assigned)

## DIVISION SEVEN (Continued)

B132066 People (Not for Publication)  
v.  
Dixon

The judgment is affirmed.

Lillie, P.J.

We concur:     Johnson, J.  
                       Boland, J. (Assigned)

B136045      Topa Insurance Co.      (Not for Publication)  
v.  
Reliant General Insurance Services

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur: Woods, J.  
Boland, J. (Assigned)

B142234      Townsend      (Not for Publication)  
v.  
Rose

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur: Woods, J.  
Boland, J. (Assigned)

## DIVISION SEVEN (Continued)

B139864            Vaca                                 (Not for Publication)  
v.  
State of California

The judgment is reversed and the cause is remanded to the trial court for further proceedings. Each party to bear its own costs on appeal.

Lillie, P.J.

We concur: Woods, J.  
Boland, J. (Assigned)

B142016      Rose      (Not for Publication)  
v.  
Williamson

The judgment is affirmed. Respondent(s) to recover costs.

Lillie, P.J.

We concur:     Johnson, J.  
                         Woods, J.

B139934      People      (Not for Publication)  
v.  
Morris

The judgment is affirmed.

Lillie, P.J.

We concur:     Johnson, J.  
                         Woods, J.

DIVISION SEVEN (Continued)

B147785      Scott R.      (Not for Publication)

v.

Superior Court, Los Angeles County  
(County of Los Angeles, D.C.F.S., r.p.i.)

Because substantial evidence supports the juvenile court's order to conduct a hearing pursuant to section 366.26, the petition is denied on the merits.

Lillie, P.J.

We concur:    Johnson, J.  
                     Woods, J.

B145962      Department of Alcoholic Beverage Control      (Not for Publication)

v.

Alcoholic Beverage Control Appeals Board  
(KV Mart Company, r.p.i.)

The decision of the Board is reversed and the decision of the Department is affirmed. The parties are to bear their own costs.

Boland, J. (Assigned)

We concur:    Johnson, Acting P.J.  
                     Woods, J.

B142382      Robbins et al.      (Not for Publication)

v.

City of South Pasadena et al.

The judgment is reversed. The trial court is directed to enter an order granting Robbins' petition for a writ of mandamus to the extent that he seeks a writ directing the City to conduct an evidentiary administrative hearing on his appeal of the three-day suspension imposed upon him. Robbins is to recover his costs on appeal.

Boland, J. (Assigned)

We concur:    Lillie, P.J.  
                     Woods, J.

## DIVISION SEVEN (Continued)

B142244      People      (Not for Publication)  
v.  
Munillo

The judgment is affirmed.

Boland, J. (Assigned)

We concur:     Lillie, P.J.  
                             Johnson, J.

B143895      Los Angeles Times      (Certified for Publication)  
v.  
The Alameda Corridor Transportation Authority

The judgment is reversed and the case remanded for an award to appellant of costs and reasonable attorney fees, both in the proceeding below and on appeal, in amounts to be determined by the trial court.

Boland, J. (Assigned)

We concur:     Johnson, Acting P.J.  
                      Woods, J.